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PTO/SB/30 (08-00)

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<p align="center">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p><small>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1989 (AIPA).</small></p>	Application Number	09/878,806
	Filing Date	06/11/2001
	First Named Inventor	Boeke
	Group Art Unit	3627
	Examiner Name	McClellan, James
	Attorney Docket Number	

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/26) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50082 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

- Submission required under 37 C.F.R. § 1.114**
 - ☒ Previously submitted
 - ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 18, 2005 (any unentered amendment(s) referred to above will be entered).
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - ☐ Other
 - ☐ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☐ Other
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
 - ☐ Other
- Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed
 - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0750.
 - ☐ RCE fee is required under 37 C.F.R. § 1.17(e)
 - ☐ Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
 - ☐ Other
 - ☐ Check in the amount of \$ _____ enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (print/type)	Joseph P. Kincart	Registration No.	43,718
Signature	<i>JP Kincart</i>	Date	Feb 11, 2005
CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: 02/11/2005			
Name (print/type)	Kathy L. Willan	Date	2-11-2005
Signature	<i>Kathy L. Willan</i>		February 11, 2005

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TO: Commissioner for Patents

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DATE: February 11, 2005

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**Rc: U.S. Serial No.: 10/117,545
J&J Docket No.: VTN0592**

Should you have any questions in this regard, please feel free to contact me.

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